



## ***Board of Works Meeting – Minutes from February 27, 2023***

**Board of Works Members in Attendance:** Mayor Phil Jenkins, Wayne Scheumann, Rod Stump Jr.

**Also Present:** **City Attorney** Brian Hoffer, **Clerk-Treasurer** Jeff Knight, 7 guests (IP) and one members of the press (IP).

- Call to order: Mayor Jenkins called the meeting to order at 3:30 pm.
- Roll call: All members were in attendance as stated above.
- Approval of the Minutes from February 13, 2023: Mr. Stump motioned to approve the minutes. Mr. Scheumann seconded. The minutes were approved unanimously by voice vote.
- There were no petitions or comments from citizens and there were no reports of committees, boards, or commissions.
- Unfinished Business
  - Interlocal Agreement with Elkhart County for 2023 Animal Control Services (Tabled 2/13/23): Mayor Jenkins motioned to remove the agreement from the table. Mr. Scheumann seconded. The agreement was removed from the table unanimously by voice vote.

Mayor Jenkins presented the Interlocal Agreement with Elkhart County for 2023 Animal Control Services. This is with the Elkhart County Humane Society through Elkhart County. There were no changes from the amount charged last year. Police Chief Rulli said the relationship has worked well. City Attorney Hoffer commented the agreement looked similar to that of last year. Mr. Scheumann motioned to approve the agreement for 2023 as presented. Mr. Stump seconded. The Interlocal Agreement with Elkhart County for 2023 Animal Control Services was approved unanimously by voice vote.

- New Business
  - Beer and Slabaugh – West Industrial Storm Water Project – Partial Pay App #2: Mayor Jenkins presented the pay app for approval. Partial pay app #2 is in the amount of \$91,435.50. Mr. Scheumann motioned to approve partial pay app #2. Mr. Stump seconded. Partial pay app #2 was approved unanimously by voice vote.
  - Beer and Slabaugh – West Industrial Storm Water Project – Partial Pay App #3: Mayor Jenkins presented the pay app for approval. Partial pay app #3 is in the amount of



\$30,993.75. Mayor Jenkins motioned to approve partial pay app #3. Mr. Stump seconded. Partial pay app #3 was approved unanimously by voice vote.

- Approve Sewer Connection Applications: Mayor Jenkins presented each of the requests and noted that all was in order with each.
  - 105 Fervida Drive E – Todd Hartman: Mayor Jenkins motioned to approve the sewer connection. Mr. Scheumann seconded. The sewer connection was approved unanimously by voice vote.
  - 107 Fervida Drive E – Todd Hartman: Mr. Stump motioned to approve the sewer connection. Mr. Scheumann seconded. The sewer connection was approved unanimously by voice vote.
  - 651 E. Walnut St – Kent’s Excavating: Mayor Jenkins motioned to approved the sewer connection. Mr. Stump seconded. The sewer connection was approved unanimously by voice vote.
  
- Approve Driveway Permit Application:
  - 2102 E. Market St. – Ace Builders: City Planning Superintendent Nunemaker presented the request. This is for a driveway permit and excavating in a right of way request. This request will also be contingent upon INDOT approval for their access onto US 6. Mr. Scheumann motioned to approve the request contingent upon INDOT approval of improvements to the access point of US 6. Mayor Jenkins seconded. The request was approved unanimously by voice vote.
  
- Approve Excavating ROW Application:
  - 651 E. Walnut St. – Kent’s Excavating: Mayor Jenkins noted this was in relation to the request that was already presented. Mayor Jenkins motioned to approve the excavating in the right-of-way request. Mr. Stump second. The request was approved unanimously by voice vote.
  
- Night Magic – 2023 Fireworks Contract: Mayor Jenkins noted that Fire Chief Lehman has been working with the company on the firework show for 2023. The show will be identical to 2022 and the cost (\$14,000) will be the same as well. Chief Lehman will work with the Fire Marshall on getting the permitting taken care of. Mr. Scheumann motioned to approve the 2023 fireworks contract with Night Magic. Mr. Stump seconded. The contract was approved unanimously by voice vote.
  
- Leprechaun Chase Road Run: Mayor Jenkins presented the request for the run to take place on March 18<sup>th</sup>. He introduced Ms. Mary Estep who was in attendance on behalf of the run.



Ms. Estep noted one correction that needed to be made to the request. The road closure will be for Elm from Walnut to Centennial instead of to Broad. The maps of the run were displayed, and it was noted that the City has received an insurance certificate. Mayor Jenkins confirmed that this request has been approved by the Park Board as well. Mayor Jenkins motioned to approve the run taking place on March 18<sup>th</sup> as submitted. Mr. Scheumann seconded. The request was approved unanimously by voice vote.

- Declare Emergency and Approve Extension of Water and Sewer on CR 52 West: Mayor Jenkins presented the request. The developer at Wellfield subdivision is putting in the water and sewer requiring them to go down CR 52 west. In order to get this out to the drive as they go in and out, Superintendent Gerber is trying to get the water and sewer moved out of the way while that contractor is already out there working. The cost will be \$65,941.64. Mr. Scheumann motioned to approve the extension of water and sewer due to the emergency situation. Mr. Stump seconded. The request was approved unanimously by voice vote.
- Approval of Accounts Payable Vouchers:
  - Mr. Stump motioned to approve the 2023 Water APV's Totaling \$155,744.01 and 2023 WWTP APV's Totaling \$99,798.60. Mr. Scheumann seconded. The APV's were approved unanimously by voice vote.
- Reports of City Officers:
  - Park Department: Park Superintendent Davis requested the annual exemption from the noise ordinance (#1226) to allow mowing on the golf course prior to 7:00 am. Mayor Jenkins motioned to approve the request. Mr. Stump seconded. The request was approved unanimously by voice vote.
  - Utility Department: A memo was submitted with multiple requests by Superintendent Gerber.
    - Request permission to send Mr. Adam Schrock to Truck Driver Institute to obtain his CDL. The course is for three weeks and costs \$7,035. Mayor Jenkins noted that the City wants to make this a request contingent upon Adam staying with the City for a period of time and not allowing him to get his CDL and then leave for another job without being required to pay back the cost in total or proportionate to the time he stayed. Mayor Jenkins motioned accordingly. Mr. Scheumann seconded. The request was approved unanimously by voice vote.



- Request for Superintendent Gerber and Mr. Brian Van Voorst to attend the AWWA meeting in Indianapolis April 10<sup>th</sup> thru the 13<sup>th</sup>. Mr. Stump motioned to approve the request. Mr. Scheumann seconded. The request was approved unanimously by voice vote.
- Declare an emergency and approve Kent's Excavating to repair the mainline sewer in the 400 block of Walnut causing a backup into their homes. The cost is \$2,800. The repair has been completed. Mayor Jenkins motioned to approve the request. Mr. Stump seconded. The request was approved unanimously by voice vote.
- For informational purposes, a memo was submitted discussing three local business which have failed to comply with the City Code and IDEM requirements and have not had their backflow systems tested in the last year. The businesses are China Buffet, Dairy Queen, and Don Carlos Bar & Grill. No action was required by the BOW.
- Fire Department:
  - Fire Chief Lehman submitted a memo requesting 23 helmets be declared obsolete and disposed of as necessary. Mr. Scheumann motioned to declare the Bullard helmets obsolete as listed. Mr. Stump seconded. The request was approved unanimously by voice vote.
  - Another memo was submitted requesting the BOW to consider approving the status of pay for Mr. Andy Yoder from paid volunteer firefighter to unpaid effective January 1, 2023. Mayor Jenkins motioned to approve the change request. Mr. Stump seconded. The request was approved unanimously by voice vote.
- Street Department: Street Superintendent Warren submitted a memo requesting that he and Mr. Greg Estep be allowed to attend a mosquito control workshop in Fort Wayne on March 9<sup>th</sup>. This will count 4 continuing education credit hours out of the 15 hours required by the state every four years. Mayor Jenkins motioned to approve the attendance of the workshop. Mr. Scheumann seconded. The request was approved unanimously by voice vote.



Adjournment: With no further business to discuss, Mr. Stump motioned that the meeting be adjourned. Mr. Scheumann seconded. Adjournment was agreed to by voice vote and the meeting was adjourned at 3:56 pm.

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Phil Jenkins, Mayor

Attest: \_\_\_\_\_  
Jeff Knight, Clerk of Board of Works